IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

ST.Rev..No. 383 of 2004

ORDER DATED 21.4.2003 IN TA.251/2003 OF KERALA SALES TAX APPELLATETRIBUNAL,ADDL.BENCH,PALAKKAD

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REVISION PETITIONER/RESPONDENT/REVENUE

STATE OF KERALA, REPRESENTED BY DEPUTY COMMISSIONER (LAW) COMMERCIAL TAXES, ERNAKULAM.

BY SR. GOVERNMENT PLEADER MR.MOHAMMED RAFIQ

RESPONDENT/APPELLANT/ASSESSEE

SRI.K.MADHU MOHAN, PROPRIETOR,
THE CONNECTORS, RUBBER LATEX, THRISSUR.

BY ADV. SRI.V.K.PEERMOHAMED KHAN

THIS SALES TAX REVISION HAVING COME UP FOR ORDERS ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

H.L.Dattu,C.J. & K.T.Sankaran,J.

S.T.Rev.No.383 of 2004 & C.M.Appln.No.1012 of 2004

Dated, this the 27th day of July, 2007

ORDER

H.L.Dattu,C.J.

State being aggrieved by the orders passed by the Kerala Sales Tax Appellate Tribunal, Additional Bench, Palakkad in T.A.No.251 of 2003 dated 21.4.2003 is before us in this revision petition.

(2) In filing the revision petition there is a delay of 212 days. To condone the said delay, C.M.Appln.No.1012 of 2004 is filed under section 5 of the Limitation Act. Along with the said application a printed affidavit is filed before us. In the said affidavit except stating that the papers were moving from table to table and person to person, no other explanation is offered by the revenue for the delay in filing the revision petition.

(3) The explanation offered by the petitioner for condonation of the delay in filing the Sales Tax Revision case is wholly unsatisfactory. Therefore, the delay in filing the revision petition cannot be condoned by us. Accordingly the application for condonation of delay requires to be rejected and it is rejected.

(4) Consequently the revision petition is also rejected.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vns/-